

A motion was made by Senator Hornsby and seconded by Senator Davis that S. B. No. 112 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

A motion was made by Senator Rawlings and seconded by Senator Collie that S. B. No. 328 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

A motion was made by Senator Hornsby and seconded by Senator Small that S. B. No. 40 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

A motion was made by Senator Rawlings and seconded by Senator Woodruff that S. B. No. 341 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

A motion was made by Senator Hornsby and seconded by Senator Hopkins that S. B. No. 126 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

A motion was made by Senator Woodruff and seconded by Senator Cotten that S. B. No. 404 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

A motion was made by Senator Woodruff and seconded by Senator Hopkins that S. B. No. 405 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

A motion was made by Senator Hopkins and seconded by Senator Davis that S. B. No. 375 be reported favorably with the recommendation that it do pass and be printed. The motion carried by viva voce vote.

Senator Rawlings introduced a committee substitute for S. B. No. 3, which he explained. Senator Rawlings made the motion that S. B. No. 3 and the committee substitute be referred to a subcommittee to be appointed by the Chair with instructions to report at the next regular meeting of the committee. The motion carried.

Yeas: Hopkins, Martin, Rawlings, Davis, Cotten and Van Zandt.

Nays: Woodruff, Collie, Small, Hill, Hughston and Hornsby.

There being a tie the Chair cast his vote which was yea.

The Chair appointed Senators Rawlings, Hopkins and Martin to serve on the subcommittee to report back to the committee not later than the next regular meeting of the committee.

ELIZABETH PENNINGTON,
Secretary.

FORTY-FIRST DAY (Continued).

Senate Chamber,
Austin, Texas,
March 19, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

S. J. R. No. 26.

Pending business was Senator Davis' amendment to S. J. R. No. 26, "Creating Board of Pardons and Paroles."

Senator Davis moved the adoption of the amendment.

Motion pending.

Request to Suspend Regular Order.

Senator Woodruff asked unanimous consent to suspend the regular order of business so as to make a motion to recommit S. B. No. 147.

There was objection.

S. J. R. No. 26.

A second reading of the pending amendment was called for.

The pending amendment by Senator Davis was adopted by viva voce vote.

Senator Oneal sent up the following amendment:

Amend S. J. R. No. 26 by striking out all of Section 61 after the word "Paroles" beginning in line 30 and ending in line 31 of the printed bill and inserting in lieu thereof the following:

"The Board of Pardons and Paroles shall be composed of three members, each of whom shall hold office for a term of six years; provided that of the members of the first board appointed one shall serve

for two years, one for four years and one for six years from the first day of February, 1937, and they shall cast lots for their respective terms. One member of said board shall be appointed by the Governor, one member by the Chief Justice of the Supreme Court of Texas, and one member by the Presiding Justice of the Court of Criminal Appeals. The appointment of all members of said board shall be made with the advice and consent of two-thirds of the Senate present, if made during the session of the Senate; appointments made during the recess of the Senate to fill vacancies on said board shall be nominated to the Senate during the first ten days of its session, and if the appointment is rejected, the office shall immediately become vacant, and the officer making the appointment shall without delay make further nominations to the Senate until confirmation takes place; but should there be no confirmation during the session of the Senate, the officer having the power of appointment shall not thereafter appoint any person to fill the vacancy who has been rejected by the Senate, but may appoint some other person to fill such vacancy."

ONEAL.

Read.

Senator Collie sent up the following amendment:

Amend the Oneal amendment between the words "members" and "each" by adding the following provision:

"who shall have been resident citizens of the State of Texas for a period of at least two years immediately preceding such appointment."

COLLIE.

Read and adopted.

The amendment by Senator Oneal as amended, was adopted by viva voce vote.

Senator Oneal sent up the following amendment:

Amend S. J. R. No. 26 by striking out the first sentence in "Section 61" and inserting in lieu thereof the following:

"Sec. 6. In all criminal cases, except treason and impeachment, the Governor shall have the power, after conviction, upon the written signed recommendation and advice of two members of the Board of Pardons and Paroles, to grant reprieves and commutations of punishment and

pardons; and under such rules as the Legislature may prescribe, and upon written, signed recommendation and advice of two members of the Board of Pardons and Paroles, he shall have the power to remit fines and forfeitures. With the advice and consent of the Senate, he may grant reprieves, commutations of punishment, and pardons in case of treason, and to this end he may respite a sentence therefor until the close of the succeeding session of the Legislature. He shall have the power to revoke paroles and conditional pardons."

ONEAL.

Read and pending.

Motion to Suspend Rule.

Senator Moore moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion prevailed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Fellbaum. Hughston.

Senate Bill No. 460.

By Senator Moore:

S. B. No. 460, A bill to be entitled "An Act amending Section 3 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature, as amended by Chapter 3, General Laws, Second Called Session of the Forty-third Legislature, being Article 6675-a-3, Revised Statutes; providing for form of application for registration of motor vehicles; providing any owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application present license receipt and transfer receipts; providing for making of affi-

davit for application if owner has lost registration receipt or transfer; providing for annual registration of vehicles in use of the United States Government; State of Texas, County, City and School Districts thereof; providing for exemption of payment of license fee on said vehicles; providing for registration of any vehicles for unexpired portion of year; providing for temporary use of a new vehicle under a dealer's license number; defining "Motor Vehicle Registration Year"; providing that application for license shall be made not later than April 1st of each year, and repealing all laws, both general and special, in conflict herewith, and declaring an emergency."

Read and referred to the Committee on State Highways and Motor Traffic.

H. C. R. No. 59.

The Chair laid before the Senate H. C. R. No. 59, "Requesting the Governor to return H. B. No. 232 for correction."

Senator Moore asked unanimous consent that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 59 be taken up and considered at this time.

Unanimous consent was granted.

H. C. R. No. 59 was adopted by viva voce vote.

Request to Suspend Rule.

Senator Holbrook asked unanimous consent to suspend constitutional rule relating to the time for the introduction of bills.

There was objection.

Motion to Suspend Rule.

Senator Holbrook moved to suspend the constitutional rule relating to the time for the introduction of bills.

The motion failed, not having received the required four-fifths vote:

Yeas—20.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Rawlings.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Small.
Hornsby.	Stone.
Martin.	Van Zandt.
Moore.	Woodruff.

Nays—6.

Cotten.	Poage.
DeBerry.	Sulak.
Hill.	Westerfeld.

Absent.

Fellbaum.	Hopkins.
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Absent—Excused.

Hughston.	Shivers.
Redditt.	

S. J. R. No. 26.

The question recurred on the adoption of the pending amendment by Senator Oneal to S. J. R. No. 26.

Motion to Table.

Senator Burns moved to table the pending amendment.

The motion prevailed by the following vote:

Yeas—14.

Beck.	Rawlings.
Burns.	Redditt.
Davis.	Regan.
Hill.	Sanderford.
Martin.	Shivers.
Moore.	Sulak.
Poage.	Westerfeld.

Nays—12.

Blackert.	Neal.
Collie.	Oneal.
DeBerry.	Pace.
Duggan.	Small.
Holbrook.	Van Zandt.
Hornsby.	Woodruff.

Absent.

Cotten.	Stone.
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Absent—Excused.

Fellbaum.	Hughston.
Hopkins.	

Senator Burns asked unanimous consent to insert the following amendment after the word "vacancy" in the Oneal amendment:

"The Legislature shall have authority to enact parole laws."

BURNS.

Pending.

Point of Order.

Senator Sanderford raised the point of order that the amendment had been adopted by a majority of the Senate and could not be withdrawn by unanimous consent, but only by a motion to reconsider the vote by which the amendment was adopted.

The Chair overruled the point of order stating that part of the matter under consideration could be taken out without reconsidering all of it as long as the part taken out was not the same as that originally sent up.

The question recurred on the adoption of the pending amendment. The amendment was adopted.

Motion to Lay on Table.

Senator Beck moved to lay S. J. R. No. 26 on the table, so as to have it printed in the Journal as amended.

The motion prevailed by viva voce vote.

By Burns. S. J. R. No. 26.

A JOINT RESOLUTION

Proposing an amendment to Article XVI of the Constitution of the State of Texas by adding a new Section to be numbered Section 61, vesting all the power heretofore conferred upon the Governor by Section 11, Article IV of the Constitution relating to granting reprieves, commutations of punishments and pardons in all criminal cases in a Board to be known and designated as the Board of Pardons and Paroles, and providing that such Board shall be composed of three (3) members who are citizens of the State of Texas, one of which members is to be appointed by the Governor, one by the Chief Justice of the Supreme Court, and one by the presiding Justice of the Court of Criminal Appeals; and providing the members of said Board shall serve for a term of six (6) years and providing for the appointment of their successors, and the filling of vacancies in office, and providing for an election upon such proposed Constitutional Amendment and making an appropriation therefor.

Be it resolved by the Legislature of the State of Texas:

Section 1. That there be added to Article XVI of the Constitution of the State of Texas a new Section to be numbered Section 61, which shall read as follows:

"Sec. 61. All the powers heretofore conferred upon the Governor by Section 11 of Article IV of this Constitution shall hereafter be vested in a Board to be known and designated as Board of Pardons and Paroles. The Board of Pardons and Paroles shall be composed of three members, who shall have been resident citizens of the State of Texas for a period of at least two years immediately preceding such appointment, each of whom shall hold office for a term of six years; provided that of the members of the first board appointed one shall serve for two years, one for four years and one for six years from the first day of February, 1937, and they shall cast lots for their respective terms. One member of said board shall be appointed by the Governor, one member by the Chief Justice of the Supreme Court of Texas, and one member by the Presiding Justice of the Court of Criminal Appeals. The appointment of all members of said board shall be made with the advice and consent of two-thirds of the Senate present, if made during the session of the Senate; appointments made during the recess of the Senate to fill vacancies on said board shall be nominated to the Senate during the first ten days of its session, and if the appointment is rejected, the office shall immediately become vacant, and the officer making the appointment shall without delay make further nominations to the Senate until confirmation takes place; but should there be no confirmation during the session of the Senate, the officer having the power of appointment shall not thereafter appoint any person to fill the vacancy who has been rejected by the Senate, but may appoint some other person to fill such vacancy. The Legislature shall have authority to enact parole laws."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to the electors of this State, qualified to vote on the Constitutional Amendments, at an election to be

held throughout the State on the first Tuesday after the first Monday in November, A. D., 1936, at which election each ballot shall be printed thereon the words:

"For the amendment of Article XVI of the State Constitution by adding Section 61 thereto, vesting the power heretofore conferred on the Governor relating to pardons, paroles, and reprieves in a Board of Pardons and Paroles."

"Against the amendment of Article XVI of the State Constitution by adding Section 61 thereto, vesting the power heretofore conferred on the Governor relating to pardons, paroles, and reprieves in a Board of Pardons and Paroles."

Each voter shall scratch out with pen or pencil the clause which he desires to vote against so as to indicate whether he is voting for or against said proposed Amendment.

Sec. 3. The Governor of this State is hereby directed to issue the necessary proclamation for said election, and have the same published as required by the Constitution and laws of the State of Texas.

Sec. 4. The sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury not otherwise appropriated to pay the expenses of such publication and election.

Amend caption to S. J. R. No. 26, to conform to the body of resolution.
BURNS.

Adopted.

Motion to Suspend the Rule.

Senator Moore moved to suspend the regular order of business and take up S. B. No. 460.

Unanimous consent was given.

Senate Bill No. 460.

By Senator Moore:

S. B. No. 460, A bill to be entitled "An Act amending Section 3 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature, as amended by Chapter 3, General Laws, Second Called Session of the Forty-third Legislature, being Article 6675a-3, Revised Statutes; providing for form of application for registration of motor vehicles; providing any owner of a vehicle previously registered in any State for the preceding or current year may,

in lieu of filing an application present license receipt and transfer receipts; providing for making of affidavit for application if owner has lost registration receipt or transfer; providing for annual registration of vehicles in use of the United States Government; State of Texas, County, City and School Districts thereof; providing for exemption of payment of license fee on said vehicles; providing for registration of any vehicles for unexpired portion of year; providing for temporary use of a new vehicle under a dealer's license number; defining 'Motor Vehicle Registration Year'; providing that application for license shall be made not later than April 1st of each year, and repealing all laws, both general and special, in conflict herewith and declaring an emergency."

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 460 was put on its second reading by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Fellbaum.	Hughston.
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The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Rawlings sent up the following amendment:

Amend S. B. No. 460, by adding immediately after the word "County" wherever it may appear in Section 1, the words:

"Water Control and Water Control and Improvement Districts."

RAWLINGS,
ONEAL.

Read.

A second reading called for.

Senator Davis sent up the following substitute amendment:

Amend the amendment by substituting for the words "Water Control and Water Control and Improvement Districts," and insert in lieu thereof "Water Improvement Districts and Water Control and Improvement Districts."

DAVIS.

Read and failed of adoption.

Motion to Table.

Senator Holbrook moved to table the amendment by Senators Rawlings and Oneal.

The motion to table prevailed by viva voce vote.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Moore, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 460 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Hill.	Small.
Holbrook.	Stone.
Hopkins.	Sulak.
Hornsby.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Neal.	

Absent—Excused.

Fellbaum. Hughston.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	DeBerry.
Blackert.	Duggan.
Burns.	Hill.
Collie.	Holbrook.
Cotten.	Hopkins.
Davis.	Hornsby.

Moore.
Neal.
Oneal.
Pace.
Poage.
Rawlings.
Redditt.
Regan.

Sanderford.
Shivers.
Small.
Stone.
Sulak.
Van Zandt.
Westerfeld.
Woodruff.

Nays—1.

Martin.

Absent—Excused.

Fellbaum.

Hughston.

Motion to Suspend Regular Order.

Senator Stone moved to suspend the regular order of business which was bills set for special order, so as to take up S. B. No. 321.

The motion prevailed by the following vote:

Yeas—21.

Blackert.	Neal.
Burns.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Woodruff.
Moore.	

Nays—7.

Beck.	Poage.
DeBerry.	Van Zandt.
Oneal.	Westerfeld.
Pace.	

Present—Not Voting.

Collie.

Absent—Excused.

Fellbaum.

Hughston.

Senate Bill No. 321.

The Chair laid before the Senate S. B. No. 321, which had been read the second time and laid on the table subject to call.

By Senator Stone:

S. B. No. 321, A bill to be entitled "An Act amending Sections 17, 18, 19 and 20 of Chapter 290, Acts of the Forty-first Legislature so as to provide for the creation of Union Junior College District, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment by viva voce vote.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 321 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Westerfeld.
Moore.	Woodruff.

Nays—1.

Van Zandt.

Absent—Excused.

Fellbaum. Hughston.

Read third time and finally passed by the following vote:

Yeas—23.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Duggan.	Sanderford.
Holbrook.	Shivers.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Westerfeld.
Moore.	

Nays—5.

DeBerry.	Van Zandt.
Hill.	Woodruff.
Poage.	

Absent—Excused.

Fellbaum. Small.
Hughston.

Motion to Suspend Regular Order.

Senator Sanderford moved to suspend the regular order of business which was bills set for special order, so as to take up S. R. No. 60.

The motion prevailed by the following vote:

Yeas—26.

Beck.	Neal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Martin.	Van Zandt.
Moore.	Woodruff.

Nays—1.

Blackert.

Absent.

Oneal. Westerfeld.

Absent—Excused.

Fellbaum. Hughston.

Senator Sanderford asked unanimous consent that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 60 be taken up and considered at this time.

Unanimous consent was granted.

Senator Sanderford sent up the following amendment:

Amend S. R. No. 60 by striking out after the word Institution, in the last paragraph, the following:

"as no other Regent has heretofore done."

SANDERFORD.

Read and adopted.

Senator Hornsby asked unanimous consent that the names of all the Senators be added.

Unanimous consent was granted.

S. R. No. 60, as amended, was adopted.

Bills Signed.

The Chair, Lieutenant Governor Walter F. Woodul, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 46.

S. B. No. 445.

Senator Excused.

Senator Hughston was excused for the day on account of important business, on motion of Senator Regan.

Message from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, March 19, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 59, Requesting the Governor to return H. B. No. 232 for correction.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Request to Suspend the Regular Order.

Senator DeBerry asked unanimous consent to suspend the regular order of business which was bills set as special order, so as to make a motion to set for special order S. B. No. 3.

Senator DeBerry moved to suspend the regular order of business which was bills set as special order, so as to make a motion to set for special order S. B. No. 3.

The motion lost by the following vote:

Yeas—13.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
DeBerry.	Shivers.
Hill.	Small.
Hornsby.	

Nays—15.

Cotten.	Regan.
Davis.	Sanderford.
Duggan.	Stone.
Holbrook.	Sulak.
Hopkins.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.
Rawlings.	

Absent.

Redditt.

Absent—Excused.

Fellbaum.

Hughston.

Request for Executive Session.

Senator Oneal asked unanimous consent that the Senate go into executive session at 12:40 p. m., today.

There was objection.

Senator Oneal asked unanimous consent that the Senate go into executive session at 2:31 o'clock p. m., today.

Consent was granted.

Motion to Adjourn.

Senator Holbrook at 12:40 p. m., moved that the Senate adjourn until 10 o'clock a. m., Wednesday.

Substitute Motion to Recess.

Senator DeBerry moved that the Senate recess until 2 o'clock p. m., today.

Senator Holbrook withdrew his motion to adjourn.

Senator DeBerry withdrew his motion to recess.

Senator DeBerry withdrew his objection, to the executive session at 12:43 p. m.

Executive Session.

The Senate at 12:43 o'clock p. m., went into executive session to consider Governor's nominations.

After Executive Session.

The Secretary of the Senate informed the Journal Clerk that the following action had been taken in executive session:

Committee Room,
Austin, Texas, March 18, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointments, have had same under consideration and I as chairman of said committee am instructed to report same back to the Senate with the recommendation that they be in all things confirmed:

To be member of Board of Regents of University of Texas:

J. R. Parten, of Houston, Harris County, to succeed Beauford Jester.

To be member of the State Board of Dental Examiners:

Dr. R. F. Nix, of Lamesa, Dawson County.

ONEAL, Chairman.

Adopted.

Motion to Adjourn.

Senator Pace at 12:49 o'clock moved that the Senate adjourn until 10 o'clock a. m., Wednesday.

Motion to Recess.

Senator Collie moved as a substitute to recess until 2 o'clock p. m., today.

Substitute Motion to Recess.

Senator Van Zandt moved as a substitute that the Senate recess until 10 o'clock a. m., Wednesday.

The motion to adjourn lost by the following vote:

Yeas—10.

Cotten.	Pace.
Davis.	Rawlings.
Hill.	Stone.
Martin.	Sulak.
Moore.	Westerfeld.

Nays—17.

Beck.	Neal.
Blackert.	Oneal.
Burns.	Poage.
Collie.	Regan.
DeBerry.	Sanderford.
Duggan.	Shivers.
Holbrook.	Van Zandt.
Hopkins.	Woodruff.
Hornsby.	

Absent.

Redditt. Small.

Absent—Excused.

Fellbaum. Hughston.

Recess.

The motion to recess until 10 a. m., Wednesday prevailed by the following vote:

Yeas—16.

Beck.	Neal.
Cotten.	Rawlings.
Davis.	Sanderford.
Duggan.	Shivers.
Holbrook.	Stone.
Hopkins.	Sulak.
Martin.	Van Zandt.
Moore.	Westerfeld.

Nays—11.

Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
DeBerry.	Regan.
Hill.	Woodruff.
Hornsby.	

Absent.

Redditt. Small.
Absent—Excused.

Fellbaum. Hughston.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, March 18, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 445 carefully examined and compared and find same correctly enrolled.

POAGE, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, March 19, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 321 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, March 19, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 460 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, March 15, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 494, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1935, at the several State institutions of higher learning in the State of Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute for said bill do pass in lieu thereof, and be not printed.

REDDITT, Chairman.

C. S., H. B. No. 494.

A BILL

To Be Entitled

An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1935, at the several State institutions of higher learn-

ing in the State of Texas, authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That several sums of money named herein, or so much thereof as may be necessary, are hereby appropriated for the support and maintenance of summer schools at each of the institutions indicated during the summer of the year 1935, as follows:

University of Texas	\$ 70,095.00
Texas Agricultural and Mechanical College	17,115.00
John Tarleton Agricultural College	10,520.00
North Texas Agricultural College, Junior	4,300.00
Prairie View State Normal and Industrial College	5,000.00
College of Industrial Arts	16,065.00
Texas College of Arts and Industries	13,650.00
College of Mines and Metallurgy	9,340.00
Texas Technological College	29,550.00
East Texas State Teachers College	37,650.00
North Texas State Teachers College	49,095.00
Sam Houston State Teachers College	25,217.00
Southwest Texas State Teachers College	34,110.00
Stephen F. Austin State Teachers College	22,682.00
Sul Ross State Teachers College	14,700.00
West Texas State Teachers College	21,140.00
TOTAL	\$380,229.00

Sec. 2. Each of the institutions named in Section 1 of this Act is hereby authorized to expend for the support and maintenance of summer schools at said institutions, in addition to the amounts appropriated herein, an additional amount from fees equal to Ten (\$10.00) Dollars per student per six weeks' term or the equivalent of six weeks' term, plus all laboratory fees collected from said students.

Sec. 3. Each of the institutions named in Section 1 of this Act is hereby authorized to charge and collect for summer school matriculation or tuition fees the sum of Ten (\$10.00) Dollars, six weeks' term or equivalent of six weeks' term, and said amounts so charged and collected are hereby appropriated for the support and maintenance of said summer school.

Sec. 4. The admission, matriculation or tuition fees for the summer school sessions for each of the aforesaid institutions is hereby fixed at the sum of Ten (\$10.00) Dollars, per

student per six weeks' term or the equivalent of a six weeks' term, and all laws and parts of laws in conflict herewith are expressly repealed.

Sec. 5. Such employees of the aforesaid institutions as are on a nine (9) months basis of employment, whose services are continued in summer school work, shall be entitled to be paid a salary or remuneration up to and not in excess of the salary paid for the same or similar services of the long session, and all additions made to the summer school staff of the several institutions shall be paid on a salary scale not in excess of the salary paid for the same or similar services of the long session.

Sec. 6. The fact that no provision has been made previously for summer schools at the institutions named in this Act creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall take

effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 18, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 444, A bill to be entitled "An Act making an appropriation for emergency malaria control measures by the State Board of Health in Cameron, Hidalgo and Willacy Counties for a period of seven (7) months, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 19, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 314, A bill to be entitled "An Act to prohibit a governing body of any incorporated city or town from advertising or soliciting bids on any so-called patented paving, requiring such cities and towns to adopt the same standard and specifications for paving used by the State Highway Department of the State of Texas, in conjunction with the Federal government; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment, and be printed.

RAWLINGS, Chairman.

Committee Amendment.

Amend S. B. No. 314, by striking out beginning after the word "Texas" in line 7, to and including the word Texas in line 9.

Change caption accordingly.

Committee Room,
Austin, Texas, March 19, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 365, A bill to be entitled "An Act amending Section 3 of Article 1108, Chapter 10, Title 28, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

RAWLINGS, Chairman.

Committee Room,
Austin, Texas, March 19, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 189, A bill to be entitled "An Act amending Articles 7050, 7052, 7053, 7054, Revised Civil Statutes of 1925, and Section 1, H. B. No. 514, Chapter 267, Acts Regular Session Forty-second Legislature, and amending paragraph E, Section 3, Section 4, Section 5, Section 10, and Section 11 of H. B. No. 122, Chapter 116, Acts Regular Session Forty-third Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute hereto attached do pass in lieu thereof, and that the committee substitute only be printed in bill form.

RAWLINGS, Chairman.

Committee Room,
Austin, Texas, March 19, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 434, A bill to be entitled "An Act to amend Article 4679 of the Revised Civil Statutes of 1925, as amended by Acts of 1927 of the Fortieth Legislature, page 329, Chapter 224, Section 1, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute do pass in lieu thereof and be printed in bill form.

COLLIE, Chairman.

Committee Room,

Austin, Texas, March 19, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 460, A bill to be entitled "An Act amending Section 3 of Chapter 88, General Laws, Second Called Session of the Forty-first Legislature, as amended by Chapter 3, General Laws, Second Called Session of the Forty-third Legislature, being Article 6675a-3, Revised Statutes; providing for form of application for registration of motor vehicles; providing any owner of a vehicle previously registered in any State for the preceding or current year may, in lieu of filing an application present license receipt and transfer receipts; providing for making of affidavit for application if owner has lost registration receipt or transfer; providing for annual registration of vehicles in use of the United States government; State of Texas, county, city and school districts thereof; providing for exemption of payment of license fee on said vehicles; providing for registration of any vehicles for unexpired portion of year; providing for temporary use of a new vehicle under a dealer's license number; etc . . ."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, March 18, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 101, A bill to be entitled "An Act to amend Article 2846 and Article 2854 of the Revised Civil Statutes of Texas (1925) relating to the printing, engraving and binding and furnishing of textbooks.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

DUGGAN, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on Educational Affairs, Held March 15, 1935, Regular Meeting.

Present: Senators Duggan, DeBerry, Burns, Neal, Poage, Small, Woodruff.

Absent: Senators Cotten, Hopkins, Hornsby, Pace, Regan.

H. B. No. 722 was reported favorably by viva voce vote.

S. B. No. 388, as amended, was reported favorably by viva voce vote.

S. B. No. 419, as amended, was reported favorably by viva voce vote.

S. B. No. 88, as amended, was reported favorably by viva voce vote.

Committee Substitute for S. B. No. 178 was reported favorably by viva voce vote.

S. B. No. 412 was deferred to future meeting.

JUANITA WILES, Secretary.

Minutes of Committee on Educational Affairs, Held March 18, 1935, Called Meeting.

(Public Hearing—S. B. No. 101.)

Present: Senators Duggan, DeBerry, Burns, Cotten, Pace, Poage, Regan, Small, Woodruff.

Absent: Senators Hopkins, Hornsby, Neal.

S. B. No. 101 was reported out of the committee with the recommendation that it do not pass by the following vote:

Yeas: DeBerry, Burns, Pace, Regan, Poage, Woodruff.

Nays: Cotten.

JUANITA WILES, Secretary.

Minutes of Committee on Mining, Irrigation and Drainage, Held March 18, 1935, Called Meeting.

Present: Regan, DeBerry, Holbrook, Small, Stone, Burns.

Absent—Excused: Hopkins, Blackert, Hill, Neal, Van Zandt.

S. B. No. 334 was laid on the table subject to call by viva voce vote.

S. B. No. 355 was laid on the table subject to call by viva voce vote.

ORVALEA WILLBANKS,

Secretary.

Minutes of Committee on Insurance, Held March 19, 1935, Regular Meeting.

Present: Collie, DeBerry, Moore, Pace, Poage, Rawlings, Shivers, Sulak, Westerfeld, Woodruff.

Absent—Excused: Hughston, Cotten, Holbrook.

S. B. No. 434 was reported unfavorably with committee substitute reported favorably.

Upon motion of Senator Pace, S. B. Nos. 414, 415, and 417 were set for special order Thursday, March 21st, at 4 o'clock and S. B. No. 416 was set for special order Tuesday morning, March 26th, at 9:00 o'clock.

ANNA MAY CULLEN,
Secretary.

Minutes of a Meeting of the Senate
Committee on Towns and City
Corporations, Held March 18,
1935, Called Meeting.

Present: Rawlings, Redditt, Martin, Poage, Sanderford, Stone, Westerfeld.

Excused (on account of illness):
Collie.

S. B. No. 189, on motion of Senator Redditt, was reported adversely with favorable committee substitute—committee substitute to be printed in lieu of original bill.

S. B. No. 314, on motion of Senator Westerfeld, was reported favorably with committee amendment.

S. B. No. 365, on motion of Senator Redditt, was reported favorably.

S. B. No. 288, final action was deferred to afford the author an opportunity to have present former State Tax Commissioner Edwards to give information. Notice of next hearing to be given to interested parties.

S. B. No. 381, heard, but no definite action taken.

On motion, the committee was adjourned subject to call of the chairman.

JACQUE BARCUS, Secretary.

FORTY-FIRST DAY.

(Continued.)

Senate Chamber,
Austin, Texas,
March 20, 1935.

The Senate met at 10:00 o'clock a. m. pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

The Chair recognized Senator Hughston, who asked unanimous consent to address the Senate. Senator Small asked unanimous consent that Senator Hughston deliver his address from the Speaker's stand. Lieutenant Governor Walter F. Woodul presented Senator Hughston, who spoke briefly, in advising the Senate, of his formal resignation to the Governor of Texas.

Senator Collie moved that Senator Hughston's speech be printed in the Journal. The motion was unanimously adopted.

Every member of the Senate, in brief speeches, expressed regret at the resignation of Senator Hughston and wished him Godspeed in his new field of service.

Invitation.

The Chair requested the Secretary to read an invitation to the Senate from the Chamber of Commerce to a Legislative dance at the Driskill on Thursday night.

Senate Resolution No. 61.

Senator Woodruff sent up the following resolution:

Whereas, Robert M. Hutchins, president of the University of Chicago, is visiting in Austin, Texas; and,

Whereas, President Hutchins has served as Dean of the Law School of Yale University, in which position he became widely recognized for his progressive ideas; and

Whereas, He ascended to the Presidency of the Chicago University at the age of thirty, thereby becoming the youngest university president in the United States of America; and,

Whereas, President Hutchins has contributed and is contributing much to the advancement of liberal thought and education in our educational system; now, therefore, be it

Resolved, That President Hutchins be extended the privileges of the floor during his visit in Austin, and that he be invited to address the Senate at his convenience.

WOODRUFF.

Senator Woodruff asked unanimous consent that the Senate Rule requiring resolutions to be referred to a committee be suspended, and that S. R. No. 61 be taken up and considered at this time.

Unanimous consent was granted.

S. R. No. 61 was adopted by viva voce vote.

S. J. R. No. 10.

Senator Regan moved to print S. J. R. No. 10 on minority report and spread the motion on the Journal.